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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 7th meeting
Held at Headquarters, New York, on Friday, 9 June 2006, at 10 a.m.

Chairman: Mr. Hunte ..... (Saint Lucia)

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The meeting was called to order at 10.30 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

2. *The meeting was suspended at 10.30 a.m. and resumed at 11.20 a.m.*

Requests for hearing (aide-memoire 03/06/Add.2)

3. **The Chairman** drew attention to the requests for hearing concerning the question of Puerto Rico contained in aide-memoire 03/06/Add.2. He took it that the Committee wished to approve the requests.

4. *It was so decided.*

Question of sending visiting missions to Territories (*continued*) (A/AC.109/2006/L.6/Rev.1)

5. **The Chairman** drew attention to draft resolution A/AC.109/2006/L.6/Rev.1, incorporating amendments proposed at the Committee's 4th meeting.

6. **Mr. Benitez-Verson** (Cuba) said he was pleased to see that several of the amendments put forward by his delegation had been included in the draft resolution. However, his delegation had requested detailed information from the Secretariat regarding invitations sent by Territories indicating their willingness to receive a visiting mission by the Committee and the reasons why those missions had not taken place. His delegation could not adopt a final position on the draft resolution until it had received the information requested.

7. **Mr. Cherniavsky** (Secretary of the Committee) said that he had been able to identify certain documents which might be construed as invitations from Territories. In the year 2000 a letter had been received from the Governor of Guam indicating Guam's willingness to hold a regional seminar combined with a visiting mission. The Secretariat would make that letter available to Committee members. In 1998, during the regional seminar held in Fiji, the Governor of American Samoa had invited the Committee to visit the Territory, but had not referred specifically to a visiting mission. The Committee had construed his words as an invitation to visit the Territory, and some Committee documents had referred to the invitation.

8. In 1996, the legislature of Guam had adopted a resolution specifically inviting the Committee to send a mission and, at the initiative of the representative of Cuba, the Committee had inserted a paragraph in the relevant resolution asking the Chairman to conduct the necessary negotiations with the administering Power. The paragraph had been included in the relevant resolution between 1996 and 2002. However, since the administering Power had never given its approval to a visiting mission to Guam, the Committee had decided to drop the paragraph from the resolution. He had been unable to locate the letter sent to the Committee by the United States Virgin Islands; however, the administering Power had indicated its disapproval of such a mission.

9. References to the sending of missions were often made by Territories at various regional seminars, but those did not constitute formal invitations. He would continue to look for information about any invitations sent to the Committee and would share that information with the Committee.

10. **Mr. Benitez-Verson** (Cuba) said he would have preferred to receive the information from the Secretariat in writing during the Committee's informal consultations in order to facilitate a broader exchange of views. However, since there was very little time available to the Committee, his delegation would not, for the time being, press the matter further.

11. **The Chairman** said that the Committee had always conducted visiting missions whenever possible, provided that the proper procedures were followed. In nearly all cases in which a visiting mission had not been conducted, it was because the administering Power had expressed its opposition.

12. *Draft resolution A/AC.109/2006/L.6/Rev.1 was adopted.*

13. **Mr. Benitez-Verson** (Cuba) said that his delegation had joined in the adoption of the draft resolution, but felt that it should have clearly reflected his delegation's concern about cases in which, although an invitation had been received from the Non-Self-Governing Territories, no visiting mission had taken place owing to the lack of cooperation from the relevant administering Power. Since the draft resolution referred clearly to those administering Powers which did cooperate, his delegation would have preferred that it also refer to those which did not cooperate fully. The obligations of administering Powers were clearly set out in the Charter of the United Nations. His delegation once again urged the

administering Powers to cooperate with visiting missions, which were a very effective means of assessing the situation in the Territories and ascertaining the wishes of the people regarding their future status.

14. **Mr. Maleki** (Islamic Republic of Iran) said that his delegation had suggested an amendment to the second line of the third preambular paragraph of draft resolution A/AC.109/2006/L.6/Rev.1 to the effect that the words "and increasing public awareness about the right of the people to self-determination" should be inserted before the words "in those Territories". The amendment had been approved during the Committee's informal discussions, but had not been reflected in the adopted text. His delegation would therefore introduce the amendment at the Committee's next session.

Other matters

Tokelau referendum on free association with New Zealand

15. **Ms. Takaku** (Papua New Guinea) recalled that the Ambassador of Papua New Guinea to the United Nations had participated in the Tokelau referendum on self-government in free association with New Zealand, as the representative of the Committee.

16. The referendum to determine Tokelau's future status had taken place from 11 to 15 February 2006. Tokelau's national representative body, the General Fono, had agreed that an overall majority of two thirds, or 66 per cent, of valid votes cast would be required for a change in Tokelau's status. The threshold had been set at that level because the decision sought under the referendum had posed an extremely important question which could not have been resolved with a lower threshold.

17. A total of 584 voters had turned out, but only 60 per cent had voted in favour of free association with New Zealand. The entire polling process had been universally praised, and every step of the process had been professionally conducted. Although the outcome had left 60 per cent of voters deeply disappointed, the people of Tokelau had gained a greater awareness of the various issues relating to self-determination. The international community should be assured that the referendum process had not been a wasted opportunity, but one which could be built upon in the future.

18. The vote was regarded as one step in a process towards self-determination. Although the Tokelauan Council for Ongoing Government had requested that New Zealand should leave the referendum package open for possible future consideration, two of the three atolls that made up Tokelau, Fakaofo and Nukunonu, had since decided that they wished to revisit the self-determination issue before the current New Zealand Government completed its term in September 2008. Her delegation looked forward to hearing of any possible new developments from the Ulu-o-Tokelau and the New Zealand Administrator when they joined the Committee during the current session. Her delegation believed it was absolutely imperative that the United Nations and the Committee should continue to assist Tokelau.

The meeting rose at 11.45 a.m.